

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

No. 2300

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**Introduced by Assembly Member Swanson**

February 24, 2012

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An act to add Section 48900.9 to the Education Code, relating to pupil discipline records.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2300, as amended, Swanson. Pupil discipline: suspension: records: suspensions: community service: service: expungement.

Existing law authorizes a superintendent or principal of a school to suspend or recommend for expulsion a pupil who commits one or more of enumerated acts. Existing law authorizes the principal of a school, the principal's designee, the superintendent of schools, or the governing board of a school district to require a pupil to perform community service, as defined, during the pupil's nonschool hours as part of or instead of disciplinary action, subject to specified exceptions.

~~This bill would declare the intent of the Legislature to enact legislation that would ensure that community service hours replace suspensions as a primary method of pupil discipline.~~

*Existing law requires that for purposes of notification to parents and the reporting of expulsion or suspension offenses to the State Department of Education, a school district specifically identify, by offense committed, in all appropriate official records of a pupil, each suspension or expulsion of that pupil for the commission of specified offenses.*

*This bill would require a school district to expunge from a pupil's records a suspension for specified offenses if the pupil completes 5 hours of community service or a resource-based alternative and submits*

*proof of completion to the principal of the school he or she attends, as specified. By imposing this duty on school districts, this bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 48900.9 is added to the Education Code,  
2     to read:  
3     48900.9. (a) Notwithstanding any other law, a school district  
4     shall expunge from a pupil's official records, including his or her  
5     cumulative record, a suspension for any of the offenses set forth  
6     in Section 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915,  
7     if the pupil completes five hours of community service or a  
8     resource-based alternative, including, but not limited to, tutoring,  
9     mentoring, or job training, and submits proof of completion to the  
10    principal of the school he or she attends.  
11    (b) (1) If the community service or resource-based alternative  
12    is completed at a school within the school district that the pupil  
13    attends, a note from a school employee is sufficient proof of  
14    completion.  
15    (2) If the community service or resource-based alternative is  
16    completed through a program that is not operated by the school  
17    district, a letter from an employee or volunteer of the program is  
18    sufficient proof of completion.  
19    (c) Suspension data shall be expunged from a pupil's records  
20    at the end of the school year in which the pupil meets the  
21    requirements of subdivisions (a) and (b).  
22    (d) The process described in this section may be used solely for  
23    the purpose of expunging suspension data from a pupil's records.  
24    Until the suspension data is expunged from a pupil's records, this

1 *section does not eliminate or change a school district's obligation*  
2 *to notify parents, report suspension offenses to the department, or*  
3 *otherwise maintain suspension or expulsion data.*

4 *SEC. 2. If the Commission on State Mandates determines that*  
5 *this act contains costs mandated by the state, reimbursement to*  
6 *local agencies and school districts for those costs shall be made*  
7 *pursuant to Part 7 (commencing with Section 17500) of Division*  
8 *4 of Title 2 of the Government Code.*

9 ~~SECTION 1. It is the intent of the Legislature that would enact~~  
10 ~~legislation to ensure that community service hours replace~~  
11 ~~suspensions as a primary method of pupil discipline.~~